

**BOARD OF LICENSING OF AUCTIONEERS**  
**BOARD MEETING MINUTES**  
**April 2, 2003**

**MEMBERS PRESENT**

Raymond Williams  
James Keating  
Roger Chesley  
William Macomber  
Edward Leary

**OTHERS PRESENT**

Carol Leighton, Administrator  
Debbie Fales, Licensing Clerk  
Susan Greenlaw, Board Clerk  
Dennis Smith, Assistant Attorney General  
Ruth McNiff, Assistant Attorney General

**MEMBERS ABSENT**

**Location:** Central Conference Room **Start:** 9:03 a.m. **Adjourn:** 12:25 p.m.

**CALL TO ORDER**

The meeting was called to order at 9:03 a.m.

**AGENDA MODIFICATIONS**

Members agreed to add the following to the agenda:

- Action on Complaint #AUC-169

**OLD BUSINESS**

Action on Minutes of February 5, 2003 Meeting

A motion was made by Roger Chesley and seconded by Edward Leary to approve the minutes of the February 5, 2003 meeting as written. Unanimous.

**NEW BUSINESS**

Administrators Report

Nothing to report.

Complaint Officer's Report

#AUC-169: A motion was made by Edward Leary and seconded by Raymond Williams to schedule an Informal Conference for June 4, 2003. Unanimous.

Informal Conference – Complaint #AUC-167

The licensee did not attend. A motion was made by William Macomber and seconded by Roger Chesley to schedule an Adjudicatory Hearing for June 4, 2003. Unanimous.

### Informal Conference – Complaint #AUC-168

The licensee did not attend. A motion was made by William Macomber and seconded by Edward Leary to schedule an Adjudicatory Hearing for June 4, 2003. Unanimous.

### Informal Conference – Complaint #AUC-165

Following discussion with the licensee, a motion was made by Roger Chesley and seconded by William Macomber to find the licensee in violation of 32 MRSA §298 and agreed to enter into a Consent Agreement that includes the following: (1) \$250 fine; (2) submission, for Board review, a contract that meets the requirements of the statute and rules; and (3) licensee shall attempt to return the item, check, and settlement papers to the consignor (all of the above to be completed by June 4, 2003). Unanimous.

### Adjudicatory Hearing – Sally Mosher (Complaint #AUC-161)

The hearing in the matter of Sally Mosher opened at 11:20 a.m. Ms. Mosher was not present nor represented by counsel. Assistant Attorney General Dennis Smith was present on behalf of the State. The Presiding Officer was Raymond Williams. Public deliberations were conducted at the close of the hearing.

A motion was made by James Keating and seconded by Edward Leary to find that sufficient notice of the hearing was given to Ms. Mosher. Unanimous.

A motion was made by James Keating and seconded by William Macomber to find the licensee in violation of 32 MRSA §298. Unanimous.

A motion was made by Roger Chesley and seconded by James Keating to find the licensee in violation of 32 MRSA §299. Unanimous.

A motion was made by James Keating and seconded by Roger Chesley to issue the Decision & Order to include: (1) Reprimand; (2) \$1500.00 fine; (3) \$321.00 in costs associated with the hearing; and (4) 90 day license suspensions for each violation, suspensions to run concurrently. Unanimous.

### Examination Results

**March 19, 2003:** Four individuals were scheduled for the examination. Two individuals passed and two individuals failed. The next examination is scheduled for May 21, 2003.

### NALLOA 2003 Dues Notice

A motion was made by Roger Chesley and seconded by Edward Leary to renew the Board's membership and authorize payment of 2003 dues. Unanimous.

### Review and Action on Applications

Members discussed a renewal application that was submitted timely, however, incomplete (conviction question not answered). The licensee was notified of the deficiency but has not responded. The Board directed staff to check with the Board's Administrator on the current status of the license.

Correspondence

Members were provided with copies of the February 2003 issue of NALLOA News.

Next meeting scheduled for June 4, 2003

**OTHER BUSINESS**

**ADJOURN**

There being no other business, the meeting adjourned at 12:25 p.m.

Respectfully submitted,

Susan Greenlaw  
Board Clerk